

Article 2: Health Regulated Businesses and Activities

Division 10: Alcoholic Beverage Warning Signs

*(“Alcoholic Beverage Warning Signs”
added 10-12-1987 by O-16952 N.S.)*

§42.1001 Purpose

The Surgeon General of the United States has advised women who are pregnant, or considering pregnancy, not to drink alcoholic beverages. Recent research indicates that alcohol consumption during pregnancy, especially in the early months, can harm the fetus and result in birth defects including mental retardation, facial abnormalities and other defects involving heart and bone structure. In order to serve the public health, safety and welfare, the purpose of this chapter is to educate the public by requiring warning signs to be placed at all locations where alcoholic beverages are sold to the public.

(“Purpose” added 10-12-1987 by O-16952 N.S.)

§42.1002 Duty to Post Signs or Notices

Any person or entity who owns, operates, manages, leases or rents premises offering wine, beer, or other alcoholic beverages for sale or dispensing for consideration to the public shall cause a sign or notice to be permanently posted or displayed on the premises as provided in this chapter. The sign or notice shall read as follows: PREGNANCY AND ALCOHOL DO NOT MIX — DRINKING ALCOHOLIC BEVERAGES, INCLUDING WINE AND BEER, DURING PREGNANCY CAN CAUSE BIRTH DEFECTS. Except as specified in Section 42.1005, or in rules and regulations adopted by the Health Department, a sign or notice as required herein shall not be smaller than 8 1/2 inches wide by 5 1/2 inches long, nor shall any lettering thereon be less than 3/8 inch in height.

(“Duty to Post Signs or Notices” added 10-12-1987 by O-16952 N.S.)

§42.1003 Placement

A sign or notice required by Section 42.1002 shall be placed as follows:

- (a) Where the sale or dispensing of wine, beer, or other alcoholic beverages to the public is primarily intended for consumption off the premises, at least one sign shall be so placed as to assure that it is conspicuously displayed so as to be readable at all points of purchase.

- (b) Where the sale of wine, beer, or other alcoholic beverages to the public is primarily intended for consumption on the premises, at least one sign shall be placed to assure that it is conspicuously displayed so as to be readable in each public restroom.
(“Placement” added 10–12–1987 by O–16952 N.S.)

§42.1004 Language

In the event a substantial number of the public patronizing a premises offering for sale or dispensing wine, beer, or other alcoholic beverages uses a language other than English as a primary language, an additional sign or notice as is required by Section 42.1002 above shall be worded in the primary language or languages involved.
(“Language” added 10–12–1987 by O–16952 N.S.)

§42.1005 Health Department Authority

- (a) The Health Director shall be responsible for the enforcement of compliance with this chapter. The Health Department shall have the authority to adopt reasonable rules and regulations for the implementation of this division, including rules and regulations for alternative signs and placement of required signs.
- (b) The Health Department shall make warning signs available to vendors of alcoholic beverages. Persons or entities may, however, at their own expense, prepare and post signs meeting the requirements of this chapter. In no event shall the prescribed language of the warning sign be altered.
(“Health Department Authority” added 10–12–1987 by O–16952 N.S.)